

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

Consolidated Grain and Barge, Co.)	
Plaintiff,)	Case No: 3:16-cv-50139
)	
v.)	
)	Magistrate Judge: Iain D. Johnston
MTR Grain Corp)	
Defendant.)	

ORDER, REPORT AND RECOMMENDATION

Plaintiff Consolidated Grain and Barge, Co. has filed a motion for entry of a stipulated judgment [24]. According to the motion and supporting documentation, the parties signed a Settlement Agreement under which defendant MTR Grain Corp. was to make full payment of \$157,750.00 to the plaintiff by January 1, 2017. The plaintiff contends that the defendant failed to make the payment, which under the terms of the Settlement Agreement gave the plaintiff the right to seek a stipulated judgment. See Settlement Agreement Section 9 (Dkt. 24 Ex. A at 4). The proposed stipulated judgment is attached to the motion and was signed by both parties as a condition of entering into the Settlement Agreement. In light of the plaintiff's representations, the terms of the Settlement Agreement, and the signed Stipulated Judgment, it is this Court's Report and Recommendation that the District Judge enter the Stipulated Judgment and terminate this case. Any objection must be filed by January 19, 2017. Failure to object may constitute a waiver of objections on appeal. See *Provident Bank v. Manor Steel Corp.*, 882 F.2d 258, 260 (7th Cir. 1989). Presentment of the motion for entry of judgment [24] and the status hearing previously set for 1/10/2017 are stricken.

Date: January 5, 2017

/s/ Iain D. Johnston
U.S. Magistrate Judge